

24-66

RESOLUTION NO. 10-88

WHEREAS, the Imperial Irrigation District, formed under the laws of the State of California, operates and maintains a vast system of water control, conveyance and distribution facilities, and an extensive drainage network; and

WHEREAS, the District has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected at the beginning of this Century and having been recognized by Congress, the Supreme Courts of the United States and the State of California, and other individuals and entities; and

WHEREAS, it is the policy of the United States and the State of California that the general welfare requires that water resources be put to beneficial use to the fullest extent of which they are capable, and that the conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare; and

WHEREAS, the laws of the State of California encourage the voluntary transfer of conserved water and allow conserved water to be sold, leased, exchanged or otherwise transferred for use either within or without the District; and

WHEREAS, the District, in recognition of federal and state policy of water conservation, has previously adopted structural and non-structural water conservation programs which has resulted in more than 130,000 acre-feet per year of conserved water; and

WHEREAS, there is conserved water available not immediately needed for use within District boundaries;

WHEREAS, GEO Operator Corporation (GEOOC) has requested that the District make up to 500 acre-feet of conserved water per year available for its use.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. GEO Operator Corporation (GEOOC) and Imperial Irrigation District (IID) to enter into a five-year Agreement, effective April 15, 1988, providing for GEOOC's right to purchase conserved water from IID for use in its geothermal development operations. It is in the best interest of IID that such water be made available for use by GEOOC under terms acceptable to IID.
2. GEOOC to have the right to purchase up to 100 acre-feet of conserved water from IID during the remaining 1988 calendar year at \$250 per acre-foot, for which GEOOC shall pay IID, in advance, the sum of \$25,000. Said water shall be made available to GEOOC for use on property located in Imperial County within the District's water service area but outside the Imperial Unit.

3. GE00C shall have the right to purchase up to 500 acre-feet at \$250 per acre-foot of conserved water from IID during calendar year 1989 and subsequent years, adjusted for inflation, during the term of the Agreement.

PASSED AND ADOPTED this 12th day of April, 1988.

IMPERIAL IRRIGATION DISTRICT

By

17 [Signature]
President

By

Larry E. Beck
Secretary



GE00C2

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24-67

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 15-88

WHEREAS, the Imperial Irrigation District has developed a comprehensive water conservation program, which includes the future lining of the All-American Canal.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the attached Statement by the Board of Directors, Imperial Irrigation District on HR 3988, Legislation to Authorize the Lining of the All-American Canal, be incorporated herein and distributed to all interested parties.

PASSED AND ADOPTED this 17th day of May, 1988.

IMPERIAL IRRIGATION DISTRICT

By 17 Gullet President

By Larry E. Beck Secretary



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STATEMENT BY THE BOARD OF DIRECTORS, IMPERIAL IRRIGATION DISTRICT
ON HR 3988, LEGISLATION TO AUTHORIZE THE LINING OF THE ALL-AMERICAN CANAL
PASSED AND ADOPTED BY RESOLUTION, MAY 17, 1988

1. The Board of Directors strongly endorses the objective of conservation of water from the facilities that supply water to, as well distribute it within, the District. The Board is committed to enhancing the efficiency with which it uses the water which it is entitled to use, for the benefit of the District as well as of other citizens of California.
2. The District has already made investments in water conservation that have saved approximately 138,000 acre-feet per annum, which water is now in use by residents of California's southern coastal plain.
3. The District has developed a comprehensive water conservation plan that holds the promise of conserving as much as 350,000 acre-feet per annum in addition to the water already conserved by the District. However, the District presently lacks the financial resources to implement this plan.
4. For nearly four years the District has been negotiating with the Metropolitan Water District of Southern California (MWD) over the terms of an arrangement under which the MWD would pay the District to conserve water which would be made available to the MWD for distribution to its contractors. Negotiation of this arrangement has raised difficult issues, such as the amount of money to be paid by the MWD to the District to conserve water, the value of the water to be conserved, length of the arrangement, and the respective applicability of state and federal law. Given the complexity of these issues, the innovative nature of the arrangement not only in California but also in the West, and the fact that both the District and the MWD are managed by boards that are accountable to different electorates both of which have strong interest and feelings about the arrangement, it is not surprising that the District and MWD have not yet reached agreement.
5. However, progress is being made towards resolution of the differences between the parties. In particular, the difference between the parties on the amount of money to be paid by the MWD to the District for water conservation measures has been narrowed considerably in the last several months. In addition, the Board of the District is presently considering a new proposal made by the MWD.
6. H.R. 3988 would effectively authorize the MWD to line the All-American Canal, the major facility supplying Colorado River water to the District. The bill would entitle the MWD to take and use any water saved by the lining in perpetuity, thereby permanently reducing the agricultural entitlement to use water from the River. H.R. 3988 is inconsistent with sound water policy:
 - it would create a dangerous precedent in western water transfers: that if parties to a negotiation do not reach agreement rapidly and on the terms that a major city wants, Congress will authorize the city to take the water in perpetuity without benefit to the transferring party;
 - it will set back water transfers in California, a major means by which California will meet its growing and shifting water needs over the next 30

MAY 17, 1988

years, by creating ill will among California agricultural water users, thereby stiffening their resolve to challenge any such transfers in the courts;

--it runs counter to California state water policy now embodied in California law, which encourages water transfers made possible through voluntary arrangement;

--it represents a piecemeal approach to water conservation in the District; lining the Canal is one of the more expensive, environmentally damaging means of conserving water from the facilities that serve the District. While lining the Canal is appropriate, it needs to be done with great care and as part of a larger water use efficiency program;

--it serves unfairly to enhance the bargaining leverage of the MWD in its negotiations with the District; and

--it is inimical to the conclusion of successful negotiations between the District and the MWD.

THEREFORE, the Board of Directors of the Imperial Irrigation District urges the Congress not to pass H.R. 3988, but, instead to give the District and the MWD the time necessary to conclude successful negotiations over a water conservation program that will be agreeable to both parties.

T. GALLEGO
T. GALLEGO, President

Lester A. Bornt
L. A. BORNT, Vice President

W. R. Condit
W. R. CONDIT, Director Division 1

G. L. Moore
G. L. MOORE, Director Division 2

J. R. Benson
J. R. BENSON, Director Division 4

L. E. Beck
L. E. BECK, Secretary

Dated May 17, 1988

HR3988



24-68

WHEREAS, the Board of Directors of Imperial Irrigation District has appointed a Water Conservation Advisory Board to assist the District in recognizing matters relating to water problems; and

WHEREAS, the Water Conservation Advisory Board has adopted Bylaws with the approval of the Imperial Irrigation District; and

WHEREAS, said Bylaws state in Section 1.01 therein: "The purpose for which this Board is organized is to recommend to the Board of Directors of Imperial Irrigation District and the Imperial Valley farming community an expanded program of irrigation efficiency in system operation and farming practices."; and

WHEREAS, the Water Conservation Advisory Board has met from time to time in keeping with said Bylaws and has made certain recommendations to the District Board of Directors.

NOW, THEREFORE, on motion by Director Moore, seconded by Director Condit, BE IT HEREBY RESOLVED that the Imperial Irrigation District Board of Directors adopt the following recommendation of the Water Conservation Advisory Board as practical and essential to the District's water conservation program and rescind Resolution 24-84 which this Resolution replaces.

Imperial Irrigation District will notify the landowner and the active water account holder when his surface drain box is in need of repair to facilitate an accurate measurement of surface spill. After 30 days, or before the next irrigation, if the necessary repairs have not been completed, the District will repair the drain box and bill the landowner for the time and materials to repair the structure.

PASSED AND ADOPTED this 12th day of July, 1988.

IMPERIAL IRRIGATION DISTRICT

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By [Signature]
President

By [Signature]
Secretary



24-69

RESOLUTION NO. 23-88

WHEREAS, under provisions of the Clean Water Bond Law of 1984, Imperial Irrigation District is eligible to apply to the Department of Water Resources for a low-interest loan to fund water conservation capital projects, and

WHEREAS, the interest rate for the loan will be 4.0129 percent with a repayment period of 25 years for a loan of approximately 680,000 dollars and

WHEREAS, it will be necessary for the District to demonstrate its authority to commit to long-term obligations as well as its ability to repay the loan, and

WHEREAS, it is in the best interest of the District to continue with a vigorous water conservation program and to apply for financing under the Clean Water Bond Law of 1984,

NOW, THEREFORE, on motion of Director Bornt, seconded by Director Moore, BE IT HEREBY RESOLVED THAT THE Board of Directors of the Imperial Irrigation District accepts the low interest loan and designates the President of the Board as the person to execute the contract,

BE IT FURTHER RESOLVED that the Board of Directors authorizes the General Manager to approve Partial Payment Estimates, and names the Treasurer as the District's Fiscal Agent by approving the Fiscal Services Agreement attached as Exhibit "A" for financing under the Clean Water Bond Law of 1984 to concrete line a portion of the South Alamo Canal as described in Exhibit "B" attached hereto and made a part hereof.

PASSED AND ADOPTED THIS 6th day of September, 1988

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IMPERIAL IRRIGATION DISTRICT

By [Signature]
President

By [Signature]
Secretary

- b. Deposit \$ 4,334.00 per semiannually (frequency) beginning 4/1/90 (date) into account established with Fiscal Agent for purposes of this Agreement, in amounts necessary to meet the Reserve requirement.

Depositor may maintain the Reserve Fund in separate higher yield account(s) subject to the same withdrawal conditions as other funds on deposit under this Agreement.

- c. The Reserve Fund may be established in lump sum at Depositor's option. If electing this option, Depositor will make a deposit of \$ _____ with the Fiscal Agent by _____ (date). Terms of such deposit account are as follows _____

- d. Deposit \$ 3,611.50 per month (frequency) beginning 10/31/89 (date) in order to meet the semiannual principal and interest payments due to the Department under the Loan Contract. This amount may be adjusted to reflect changes in terms of the Loan Contract agreed to by the parties thereto.

- e. Compensate Fiscal Agent for services as follows: NONE

- f. Promptly furnish Fiscal Agent with copies of any amendments to the Loan Contract, especially any changes in repayment terms, principal amount, or interest rate.

4. This Agreement shall terminate when the loan and interest are repaid to the Department in full or upon 90 days written notice of termination by either party transmitted to the other party. Fiscal Agent and Depositor shall notify the Department immediately upon receipt or issuance of 90-day notice of termination. At the time of termination any remaining balance not owed to the Department pursuant to the Loan Contract, less any accrued service charges, shall be returned to Depositor.

5. This Agreement shall not be amended without written approval of the Department.

6. The Special Account(s) established for purposes of this Agreement is/are identified as follows: _____

7. In performing its services hereunder, Fiscal Agent shall incur no liability to Department for the funds deposited hereunder or the amount of any payment to be made by Depositor to Department provided the actions of Fiscal Agent are taken in good faith.

Imperial Irrigation District
(Depositor)
P. O. Box 937
(Mailing Address)
Imperial, CA 92251-0937
(City) (State) (Zip)

Phone number (619) 339-9304

By _____
(Signature)
Tony Gallegos
(Print Name)
President, Board of Directors
(Title)

Approved:
State of California
DEPARTMENT OF WATER RESOURCES

By _____

Title Deputy Controller
Bond Financing and Administration

Date _____

Ms. C. Jane Alsip
(Fiscal Agent)
P. O. Box 937
(Mailing Address)
Imperial, CA 92251-0937
(City) (State) (Zip)

Phone number (619) 339-9414

By Ms. C. Jane Alsip
(Signature)
Ms. C. Jane Alsip
(Print Name)
Treasurer
(Title)

Description of Water Conservation Project

SOUTH ALAMO CANAL CONCRETE LINING

The South Alamo Canal is located at the extreme southern end of Imperial Valley. Soils in this area are very sandy and allow high rates of seepage through unlined canals. The South Alamo is a main supply canal branching from the All-American Canal. Currently, the first 5.3 miles of this canal are unlined. The combination of large channel size and sandy soil make the South Alamo one of the largest contributors to seepage loss.

Controlling moss growth in the South Alamo is also a serious problem. Concrete lining will sharply reduce seepage losses and lessen maintenance costs associated with moss removal. It is estimated that concrete lining will save 755 acre-feet of water per year per mile lined and reduce maintenance costs by \$2,100 per year per mile lined. A Categorical Exemption from California Environmental Quality Act requirements has been filed. The State clearinghouse has reviewed documentation and certified the application for Categorical Exemption.

The following is an estimate of construction costs to line the first two (2) miles of the South Alamo Canal from delivery 31 to the Alamo River spill:

Concrete lining	\$ 264,000
Engineering	5,000
Sealer	14,000
Earthwork	330,000
Importing fill	55,000
Administration & Contingencies	12,000
	<hr/>
	\$ 680,000

EXHIBIT "B"

24-70

RESOLUTION NO. 52-88

WHEREAS, Robert F. Carter began his service with the Imperial Irrigation District in April 1937 as a Shop Clerk; and

WHEREAS, Mr. Carter served 22 years in various positions in the Operations Services Department to include Purchasing Agent and Manager, Operations Services; and

WHEREAS, Mr. Carter served 18 years as General Manager of the Imperial Irrigation District representing the District's interests statewide, regionally, nationally, and internationally; and

WHEREAS, as General Manager he instituted new and innovative water management practices; and

WHEREAS, Mr. Carter completed his distinguished service with the Imperial Irrigation District as Executive Officer to the Board of Directors in 1983.

NOW, THEREFORE, BE IT RESOLVED that in recognition of Mr. Carter's commitment and contributions to the Imperial Irrigation District during his many years of service, the Imperial Irrigation District Board of Directors hereby officially names the Trifolium Reservoir as the "Robert F. Carter Water Conservation Storage Reservoir."

BE IT FURTHER RESOLVED that a copy of this resolution be suitably inscribed and furnished to Mr. Carter.

PASSED AND ADOPTED this 25th day of October, 1988.



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IMPERIAL IRRIGATION DISTRICT

By [Signature]
President

By Larry E. Beck
Secretary

24-71

RESOLUTION NO. 57-88

RESOLUTION ADOPTING FINDINGS AND AUTHORIZING EXECUTION OF
AGREEMENT FOR IMPLEMENTATION OF A WATER CONSERVATION
PROGRAM AND USE OF CONSERVED WATER

WHEREAS, the Imperial Irrigation District (Imperial), formed under the laws of the State of California, operates and maintains a vast system of water control, conveyance and distribution facilities, and an extensive drainage network; and

WHEREAS, Imperial has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected at the beginning of this Century and having been recognized by Congress, the Supreme Courts of the United States and the State of California, and other individuals and entities; and

WHEREAS, it is the policy of the United States and the State of California that the general welfare requires that water resources be put to beneficial use to the fullest extent of which they are capable, and that the conservation of such waters is to be exercised with the view to the reasonable and beneficial use thereof and the interest of the people and for the public welfare; and

WHEREAS, the laws of the State of California encourage conservation of water and voluntary arrangements that allow the conserved water to be used by others who have a need for the water; and

WHEREAS, Imperial, in recognition of federal and state policy of water conservation, has previously adopted structural and non-structural water conservation programs which has resulted in more than 130,000 acre-feet per year of conserved water; and

WHEREAS, recent studies have shown that over 350,000 acre-feet of water can be conserved by Imperial for use within Imperial and, if not so needed, be available for use by others; and

WHEREAS, Imperial has determined that there are others outside of Imperial who are willing to fund a conservation program which will conserve water that is not now needed for use within Imperial and will be available for use by others outside of Imperial; and

WHEREAS, it appears that the temporary transfer of conserved water that is not now needed for use within Imperial may be advantageous to the people of the Imperial Valley, may assist

in protecting and strengthening the water rights of Imperial and may further fulfill the mandate that all water be put to reasonable and beneficial use; and

WHEREAS, representatives of The Metropolitan Water District of Southern California (Metropolitan) and Imperial have negotiated an Agreement whereby Metropolitan would fund the actual costs of water conservation projects which would be implemented over a five-year period; and

WHEREAS, such a water conservation program would, upon full implementation, save an estimated 100,000 acre-feet annually which will be available for use by Metropolitan for a period of at least 35 years, and thereafter until the Agreement is terminated; and

WHEREAS, on November 8, 1988, Imperial's Board of Directors approved and submitted to Metropolitan an "Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water" (Agreement) subject to approval as to form by Imperial's legal counsel; and

WHEREAS, on December 2, 1988, Imperial's legal counsel approved the form of the Agreement; and

WHEREAS, in 1986, Imperial prepared a final program environmental impact report entitled "Proposed Water Conservation Program and Initial Water Transfer" (EIR); and

WHEREAS, Imperial's EIR is sufficiently broad to encompass the water conservation program set forth in the proposed Agreement; and

WHEREAS, although Imperial and Metropolitan have certain legal differences concerning Imperial's rights to use and transfer conserved water, Imperial and Metropolitan wish to go forward with the implementation of a water conservation program without regard to current or future legal differences, but with each reserving their respective contentions on these issues; and

WHEREAS, the water conserved pursuant to the Agreement will not be needed for use within Imperial's boundaries during the term of the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Imperial finds that the Agreement incorporates provisions for feasible and appropriate mitigation of significant environmental effects, if any, of the program and its component projects, and for preparation of further documentation consistent with the California Environmental Quality Act for each project included in the program.

BE IT FURTHER RESOLVED that the President of the Board of Imperial be and he hereby is, authorized to execute the Agreement approved by Imperial's Board on November 8, 1988, and approved by Imperial's legal counsel in its final form.

BE IT FURTHER RESOLVED that the President, General Manager and legal counsel of Imperial take all appropriate action to obtain the approvals (including the vote as provided in Section 16.1(f) of the Agreement), consents, orders and judgments necessary to give effect to the Agreement.

PASSED AND ADOPTED this 7th day of December, 1988.

IMPERIAL IRRIGATION DISTRICT

By *L. J. Gentry* President

By *Larry E. Beck* Secretary



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IMPERIAL IRRIGATION DISTRICT)
)
SECRETARY'S CERTIFICATE)

I, LARRY E. BECK, Secretary of the Board of Directors of Imperial Irrigation District, HEREBY CERTIFY THAT the attached is a full, true and correct copy of Resolution No. 57-88 duly adopted by the Board of Directors of Imperial Irrigation District at a Special Meeting held on December 7, 1988.

Said Resolution was adopted by the following roll call vote.

AYES: Condit, Moore, Gallegos, Benson and Bornt.

NOES: None

ABSENT: None

Dated this 7th day of December, 1988.

Larry E. Beck
LARRY E. BECK, Secretary
Board of Directors



24-72

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 61-88

WHEREAS, the Board of Directors of Imperial Irrigation District (IID) at their meeting of August 13, 1985, adopted a policy on funds for salinity control; and

WHEREAS, the policy states that not less than five percent (5%) of any funds received, through any memorandum of understanding or agreement to transfer conserved water authorized by the Board of Directors in the future, be designated for salinity control purposes either within or outside IID, wherever the best results could be obtained; and

WHEREAS, the Board of Directors of the IID has approved "Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water" and has adopted Resolution No. 57-88, a "Resolution Adopting Findings and Authorizing Execution of Agreement for Implementation of a Water Conservation Program and Use of Conserved Water."

NOW, THEREFORE, on motion of Director Benson, seconded by Director Moore, BE IT HEREBY RESOLVED that five percent (5%) of the estimated capital costs (1988 price levels) estimated at \$91,978,000 (Appendix "B" of the Agreement) and indirect costs (Section 2.2 of the Agreement) equal to \$23,000,000 be designated for salinity control purposes either within or outside IID, wherever the best results could be obtained.

BE IT FURTHER RESOLVED that the funds be so determined by applying the five percent (5%) to the estimated capital costs and the indirect costs components of the annual cash call.

BE IF FURTHER RESOLVED that this annual amount shall be transferred from the indirect costs account (Section 4.4 of the Agreement) to a separate salinity control reserve account and the interest accrued on this account shall be retained within the account.

BE IT FURTHER RESOLVED that as salinity control projects either within or outside IID, wherever the best results could be obtained, are determined, each project shall be presented to the Board for consideration.

BE IF FURTHER RESOLVED that funds from the salinity control reserve account shall not be expended for any purpose until first approved by resolution of the IID Board of Directors.

PASSED AND ADOPTED this 27th day of December, 1988.

IMPERIAL IRRIGATION DISTRICT

By *T. J. Guevara*
President

By *Larry E. Beck*
Secretary

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24-73

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 62-88

WHEREAS, the Board of Directors of the Imperial Irrigation District (IID) has approved "Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water" and has adopted Resolution No. 57-88, a "Resolution Adopting Findings and Authorizing Execution of Agreement for Implementation of a Water Conservation Program and Use of Conserved Water"; and

WHEREAS, the Agreement provides for the payment by Metropolitan Water District (MWD) of funds to meet IID's water conservation program costs; and

WHEREAS, the Agreement establishes a procedure for expenditure of funds received from MWD for capital costs and for annual direct costs except those funds received for insurance and liability, specified as \$200,000 per year based on 1988 price levels, for use by IID, in its discretion; and

WHEREAS, under the terms of the Agreement, IID will receive, in addition to payments made by MWD for capital and annual direct costs, the sum of \$23 million for use by IID, in its discretion, to meet any expenses related to indirect costs and potential obligations of IID resulting from implementation of the program.

NOW, THEREFORE, on motion of Director Moore, seconded by Director Condit, BE IT HEREBY RESOLVED that individual cash accounts be established within the IID chart of accounts for deposit of the funds from the annual cash call for capital costs; indirect costs; annual direct costs less the insurance and liability funds; and the insurance and liability funds and the interest accrued on these accounts shall be retained within the accounts.

BE IT FURTHER RESOLVED that all funds received from MWD for the indirect costs shall not be expended for any purpose until first approved by resolution of the IID Board of Directors.

BE IT FURTHER RESOLVED that all insurance and liability funds received from MWD as annual direct costs shall not be expended for any purpose until first approved by resolution of the IID Board of Directors.

PASSED AND ADOPTED this 27th day of December, 1988.

IMPERIAL IRRIGATION DISTRICT

By *T. J. G...*
President

By *Larry E. Beck*
Secretary



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24-74

RESOLUTION NO. 1-89

WHEREAS, on July 8, 1986, the Board of Directors of Imperial Irrigation District adopted Resolution No. 18-86 providing, among other things, that any water transfer agreement be approved by the voters within the IID water service boundaries; and

WHEREAS, on November 8, 1988, Imperial's Board of Directors approved an "Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water" (Agreement); and

WHEREAS, because of changed circumstances, Imperial's Board conducted two duly noticed public hearings on January 6 and 13, 1989, to receive comments from the interested public concerning the necessity of a public vote on the Agreement in light of the changed circumstances.

NOW, THEREFORE, BE IT RESOLVED that:

1. It is in the best interests of the Imperial Irrigation District to implement the Agreement with Metropolitan Water District without requiring voter approval of the Agreement.

2. The provision requiring voter approval set forth in Section 16.1(f) of the Agreement be waived.

3. All previous Resolutions, or portions thereof, inconsistent with this Resolution, be rescinded.

PASSED AND ADOPTED this 17th day of January, 1989.

IMPERIAL IRRIGATION DISTRICT

By

Arthur A. Born
President

By

Larry E. Beck
Secretary

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24-75

RESOLUTION NO. 18-89

WHEREAS, under the provisions of the Water Conservation and Water Quality Bond Law of 1986, Proposition 44 Water Conservation and Groundwater Recharge Loan Program, Imperial Irrigation District is eligible to apply to the Department of Water Resources (DWR) for low-interest loans to fund water conservation capital projects, and

WHEREAS, a loan application was submitted to DWR for a loan of approximately \$1,685,000 for the South Alamo Phase II Canal Concrete Lining Project, and

WHEREAS, it is in the best interest of the District to continue with a vigorous water conservation program and to apply for financing under the Water Conservation and Water Quality Bond Law of 1986.

NOW, THEREFORE, on motion of Director COX, seconded by Director LYON, BE IT HEREBY RESOLVED that the Board of Directors of the Imperial Irrigation District approves and authorizes the General Manager to file the Categorical Exemption with the County of Imperial.

BE IT FURTHER RESOLVED that the Board of Directors approves the South Alamo Phase II Concrete Lining Project.

PASSED AND ADOPTED this 5th day of September, 1989.

IMPERIAL IRRIGATION DISTRICT

By

Arthur A. Born

President

By

Larry E. Beck

Secretary

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24-76

RESOLUTION NO. 19-89

WHEREAS, under the provisions of the Water Conservation and Water Quality Bond Law of 1986, Proposition 44 Water Conservation and Groundwater Recharge Loan Program, Imperial Irrigation District is eligible to apply to the Department of Water Resources (DWR) for low-interest loans to fund water conservation capital projects, and

WHEREAS, a loan application was submitted to DWR for a loan of approximately \$2,047,000 for the Acacia Canal Concrete Lining Project, and

WHEREAS, it is in the best interest of the District to continue with a vigorous water conservation program and to apply for financing under the Water Conservation and Water Quality Bond Law of 1986.

NOW, THEREFORE, on motion of Director COX, seconded by Director LYON, BE IT HEREBY RESOLVED that the Board of Directors of the Imperial Irrigation District approves and authorizes the General Manager to file the Categorical Exemption with the County of Imperial.

BE IT FURTHER RESOLVED that the Board of Directors approves the Acacia Canal Concrete Lining Project.

PASSED AND ADOPTED this 5th day of September, 1989.

IMPERIAL IRRIGATION DISTRICT

By

James A. Boren
President

By

Larry E. Beck
Secretary

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24-77

RESOLUTION NO. 25-89

RESOLUTION ADOPTING FINDINGS AND AUTHORIZING
EXECUTION OF APPROVAL AGREEMENT

WHEREAS, the Imperial Irrigation District (Imperial), formed under the laws of the State of California, operates and maintains a vast system of water control, conveyance and distribution facilities, and an extensive drainage network; and

WHEREAS, Imperial has rights to certain portions of the waters of the Colorado River, such rights having been appropriated and perfected at the beginning of this Century and having been recognized by Congress, the Supreme Courts of the United States and the State of California and other individuals and entities; and

WHEREAS, the laws of the State of California encourage conservation of water and voluntary arrangements that allow the conserved water to be used by others who have a need for the water; and

WHEREAS, Imperial, in recognition of federal and state policy of water conservation, has previously adopted structural and non-structural water conservation programs which has resulted in more than 130,000 acre-feet per year of conserved water; and

WHEREAS, recent studies have shown the potential, depending upon cost and feasibility, that an additional 350,000 acre-feet of water can be conserved by Imperial for use within Imperial and, if not so needed, be temporarily available for use by others; and

WHEREAS, the State Water Resources Control Board adopted Water Rights Decision 1600 on June 21, 1984 and Order WR88-20 on September 7, 1988; and

WHEREAS, it appears that the temporary transfer of conserved water that is not presently needed for use in Imperial may be advantageous to the people of the Imperial Valley, may assist in protecting and strengthening the water rights of Imperial and may further fulfil the mandate that all water be put to reasonable and beneficial use; and

WHEREAS, representatives of The Metropolitan Water District of Southern California (Metropolitan) and Imperial have negotiated an "Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water" (Agreement) whereby Metropolitan would fund the actual costs of water conservation projects which would be implemented over a five year period; and

WHEREAS, such a water conservation program would, upon full implementation, save an estimated 100,000 acre-feet annually which may be available for use by Metropolitan for a period of at least 35 years, and thereafter until the Agreement is terminated; and

WHEREAS, on November 8, 1988, Imperial's Board of Directors approved and submitted to Metropolitan the Agreement subject to approval as to form by Imperials legal counsel; and

WHEREAS, on December 7, 1988 the Board of Imperial adopted Resolution No. 57-88, "Resolution Adopting Findings and Authorizing Execution of Agreement for Implementation of a Water Conservation Program and Use of Conserved Water"; and

WHEREAS, the Board of Metropolitan approved the Agreement on December 22, 1988; and

WHEREAS, the Agreement provided for the written approval by Coachella Valley Water District (Coachella), Palo Verde Irrigation District (Palo Verde) and the Secretary of Interior (Secretary); and

WHEREAS, the Secretary, by his designated agent, has approved the Agreement, but Coachella and Palo Verde have not; and

WHEREAS, Coachella has filed a Complaint entitled Coachella Valley Water District vs. Imperial Irrigation District, et al. in the United States District Court of the Southern District of California alleging, among other things, that the Agreement is unlawful and void; and

WHEREAS, Imperial, Metropolitan, Coachella, and Palo Verde have negotiated an Approval Agreement that provides for dismissal of the pending Coachella litigation and allows the Conservation Agreement, as modified by the Approval Agreement, to be implemented; and

WHEREAS, Imperial has prepared a final program environmental report entitled "Proposed Water Conservation Program and Initial Water Transfer" (EIR); and

WHEREAS, Imperial's EIR is sufficiently broad to encompass the water conservation program set forth in the Agreement and the Approval Agreement; and

WHEREAS, although Imperial, Metropolitan, Coachella, and Palo Verde have certain legal differences concerning Imperial's rights to use and transfer conserved water, the parties wish to go forward with the implementation of a water conservation program without regard to current or future legal differences, but with each reserving their respective contentions on these issues; and

WHEREAS, the water conserved pursuant to the Agreement and the Approval Agreement will not be needed for use in Imperial's boundaries during the term of the Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Imperial finds that the Agreement and the Approval Agreement incorporate provisions for feasible and appropriate mitigation of significant environmental effects, if any, of the program and its component projects, including any substituted projects, and for preparation of further documentation consistent with the California Environmental Quality Act for each project included in the program.

BE IT FURTHER RESOLVED that the Board of Directors of Imperial finds that the water conserved pursuant to the Agreement and the Approval Agreement will not be needed for use within Imperial's boundaries during the term of the Agreement.

BE IT FURTHER RESOLVED that the Approval Agreement is hereby approved and that the President of the Board of Imperial be and hereby is authorized to execute the Approval Agreement, subject to final approval of the legal form of the Agreement by Imperial's Chief Counsel.

BE IT FURTHER RESOLVED that the President, and General Manager and Legal Counsel of Imperial take all appropriate action to obtain any approvals, consents, orders and judgments necessary to give effect to the Approval Agreement.

PASS AND ADOPTED this 14TH day of NOVEMBER, 1989.



IMPERIAL IRRIGATION DISTRICT

BY Lester A. Bort
President

BY Larry E. Beck
Secretary

IMPERIAL IRRIGATION DISTRICT)
)
SECRETARY'S CERTIFICATE)

I, LARRY E. BECK, Secretary of the Board of Directors of Imperial Irrigation District, HEREBY CERTIFY THAT the attached is a full, true and correct copy of Resolution No. 25-89 duly adopted by the Board of Directors of Imperial Irrigation District at an Adjourned Special Meeting held on November 14, 1989.

Said Resolution was adopted by the following roll call vote.

AYES: Condit, Lyon, Cox, and Bornt.

NOES: Gallegos

ABSENT: None

Dated this 15th day of November, 1989.

LARRY E. BECK, Secretary
Board of Directors

24-78

RESOLUTION NO. 29-89

RESOLUTION AUTHORIZING EXECUTION OF APPROVAL AGREEMENT
AND WAIVING VALIDATION PROCEEDING

WHEREAS, on December 7, 1988 the Board of Directors of Imperial adopted Resolution No. 57-88, "Resolution Adopting Findings and Authorizing Execution of Agreement for Implementation of a Water Conservation Program and Use of Conserved Water"; and

WHEREAS, on November 14, 1989, Imperial's Board of Directors approved and submitted to the Metropolitan Water District of Southern California (Metropolitan), Coachella Valley Water District (Coachella) and Palo Verde Irrigation District (Palo Verde) an Approval Agreement; and

WHEREAS, Imperial's President was authorized to execute the Approval Agreement, subject to final approval of the legal form of the Agreement by Imperial's Chief Counsel; and

WHEREAS, Imperial's Chief Counsel has approved the legal form of the Approval Agreement, a copy which is attached hereto; and

WHEREAS, Metropolitan and Coachella have approved the Approval Agreement and Palo Verde is expected to approve the Approval Agreement on December 19, 1989.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Imperial incorporates herein the provisions of Resolution No. 25-89 and finds that the Approval Agreement together with the Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water ("Conservation Agreement") incorporate provisions for feasible and appropriate mitigation of significant environmental effects, if any, of the program and its component projects, including any substituted projects, and for preparation of further documentation consistent with the California Environmental Quality Act for each project included in the program.

BE IT FURTHER RESOLVED that the Board of Directors of Imperial finds that the water conserved pursuant to the Conservation Agreement and the Approval Agreement will not be needed for use within in Imperial's boundaries during the term of the agreements.

BE IT FURTHER RESOLVED that the Approval Agreement attached hereto is hereby approved and that the President of the Board of Imperial be and hereby is authorized to execute the Approval Agreement.

BE IT FURTHER RESOLVED that Metropolitan, having waived the conditions set forth in Section 16.1(g) of the Conservation Agreement, and Metropolitan and Coachella having approved the Approval Agreement, Imperial hereby waives the condition set forth in Section 16.1(g) of the Conservation Agreement.

BE IT FURTHER RESOLVED that the President, the General Manager and Legal Counsel of Imperial take all appropriate action to obtain any approvals, consents, orders and judgments necessary to give effect to the Approval Agreement.

PASS AND ADOPTED this 19th day of December, 1989.

IMPERIAL IRRIGATION DISTRICT

BY

John A. Bort

President

BY

Larry E. Beck

Secretary



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24-79

RESOLUTION NO. 2-90

WHEREAS, the Water Code of the State of California provides among other things that each district shall establish equitable rules for the distribution and use of water and that any charges shall be distributed equitably as determined by the Board of Directors. Further, any district may fix and collect charges for any service furnished by the District including a stand-by charge, whether water is actually used or not; and

WHEREAS, at the meeting of July 21, 1987, the Imperial Irrigation District (IID) Board of Directors voted to increase the Water Rate Schedules by \$1 per acre-foot, effective August 1, 1987, with the condition that when revenue is received from a successfully negotiated Water Transfer Agreement, the \$1 per acre-foot portion of the Water Rate Schedules presently designated for water conservation measures shall be abolished; and

WHEREAS, Resolution No. 19-88 established a rate of \$11.50 per acre-foot for January 1 of 1990 including the water conservation measures portion; and

WHEREAS, the Metropolitan Water District (MWD) is scheduled to provide the amount of \$18,342,602 representing the estimated capital and annual direct costs for the first year of program implementation under the IID/MWD Agreement is scheduled for January 1990.

NOW, THEREFORE, on motion of Director GALLEGOS, seconded by Director BORNT, BE IT HEREBY RESOLVED that the base Water Rate for the use of water furnished by Imperial Irrigation District

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shall be decreased by \$1 establishing revised Water Rate Schedules Nos. 1, 1-A, 3, 4, and 7 as shown on Exhibits "A" attached hereto and made a part hereof. The reduced Water Rate shall be effective January 1, 1990.

PASSED AND ADOPTED this 9th day of January, 1990.

IMPERIAL IRRIGATION DISTRICT

By W. R. Condit
President

By Larry E. Beck
Secretary



Attachments
W-RATE.RES

EXHIBIT A

Imperial Irrigation District
Imperial, California

WATER RATES

SCHEDULE NO. 1

General Agricultural, Municipal and Miscellaneous Service

Applicable to:

- (a) Service where water is taken from the canals of the District for general irrigation use by lands or properties located within the Imperial Unit of the District.
- (b) Service where water is taken from the canals of the District for use by cities, incorporated or unincorporated, towns, private water companies, mutual water companies, and water utility districts for lands or properties within the Imperial Unit of the District.
- (c) Service where water is taken from the canals of the District for use by schools, churches, cemeteries, experimental farms, golf courses, and recreational activities directly connected with such agencies. (Except where charged under Schedule No. 3 or excluded in Schedule No. 10)

Water Rate

For all water delivered
Schedule (a), (b) and (c) \$ 10.50 per acre-foot

Stock Water

The minimum charge for a delivery of
"stock water run" shall be
equal to one-half the above charge \$ 5.25 per day

Schedule No. 1 (a) above only

EXHIBIT A

Imperial Irrigation District
Imperial, California

WATER RATES

SCHEDULE NO. 1-A

Mesa Agricultural Service

Applicable to service for irrigation on mesa lands within the Imperial Unit of the District. By "mesa lands" is meant all lands located above the 1030 contour line.

Water Rate

- | | | |
|----|---|-----------------------|
| A. | For the first 6 acre-feet per acre delivered per year | \$10.50 per acre-foot |
| B. | For all over 6 acre-feet per acre delivered per year up to and including 8 acre-feet per year | \$21.00 per acre-foot |
| C. | For all over 8 acre-feet per acre delivered per year | \$42.00 per acre-foot |

Stock Water

- | | | |
|----|--|-----------------|
| D. | The minimum charge for a delivery "stock water run" shall be | \$ 5.25 per day |
|----|--|-----------------|

Schedule No. 1-A applies to A, B, & C above only

Special Conditions

- (a) All lands receiving water service under this schedule shall comply in all respects with Regulation No. 19 of the "Rules and Regulations Governing Distribution and Use of Water."

EXHIBIT A

Imperial Irrigation District
Imperial, California

WATER RATES

SCHEDULE NO. 3

Pipe and Small Parcel Service

Applicable to service from any pipes which are installed to take water by gravity flow only from the canals of the District for general use, or for any service to small parcels from an open ditch within the Imperial Unit.

Annual Charge

- (a) For pipes with a diameter of 2 inches or less, or for service to small parcels from an open ditch
(7 times Schedule No. 1) \$ 73.50 per year
 - (b) For pipes with a diameter of over 2 inches and not exceeding 6 inches, per acre served
(5 times Schedule No. 1) \$ 52.50 per acre per year
- Annual Minimum Charge - Schedule 3(b):
2 acre minimum charge per year \$105.00 per year

Special Conditions

- (a) In the event any of the above pipes serve more than one water user, each additional water user shall be subject to the annual charges provided for in this schedule.
- (b) Pump accounts used for water service to cattle and/or feed yards shall be charged on the basis of Schedule 3(b) whether water delivery is made by pipe and/or otherwise.
- (c) Water service to small acreages shall be charged on the basis of Schedule 3(b).

Board Resolution
January 9, 1990

Date Effective
January 1, 1990

EXHIBIT A

Imperial Irrigation District
Imperial, California

WATER RATES

SCHEDULE NO. 4

Wholesale Service

Applicable to water service to water users' associations within the Imperial Unit.

Water Rate

For all water delivered \$ 10.50 per acre-foot

Special Conditions

Annual Rate Based on Gross Acreage. In those cases, where due to conditions existing in the customer's facilities for handling water, it is impractical for the District to install water measuring equipment, water service applicable to this schedule shall be furnished on an annual charge per acre as follows.

Water Charge

For gross acreage of area served,
per acre \$ 84.00 per year
(8 times Schedule No. 1)

Annual Minimum Charge

Annual minimum charge to any water
user's association shall be \$168.00 per year
(2 acre minimum)

EXHIBIT A

Imperial Irrigation District
Imperial, California

WATER RATES

SCHEDULE NO. 7

General Industrial Service

Applicable to water service to all industrial users who divert water from the District's canal system within the Imperial Unit.

Exception: Where there is a signed contract between water user and IID Board of Directors.

Water Rate

For all water delivered
(5 times Schedule No. 1) \$ 52.50 per acre-foot

Annual Minimum Charge

Annual minimum charge shall be
5 times above rate \$262.50 per year

Drainage Limits

The limit on drainage is set at 5% of the total volume of water received within a billing period and the maximum allowable flow rate shall be 10% of the maximum flow rate of the water received but shall not exceed 672 gallons per minute (1.5 cfs).

Assessment for Excess Drainage

An assessment of three (3) times the industrial rate (\$157.50) will be charged for excess water discharged into the District drain.

Board Resolution
January 9, 1990

Date Effective
January 1, 1990

24-80

RESOLUTION NO. 3-90

RIGHTS-OF-WAY FOR WATER CONSERVATION PROJECTS

REGULATION NO. 49

WHEREAS, the Imperial Irrigation District has established a practice of utilizing prescriptive rights-of-way of existing unlined canals and distribution facilities to concrete line or pipeline these facilities; and

WHEREAS, landowners adjacent to these conservation projects have in the past assigned right-of-way easements at no cost to the District; and

WHEREAS, the Imperial Irrigation District/Metropolitan Water District Agreement became effective December 19, 1989, to accomplish extensive water conservation projects over the next several years; and

WHEREAS, a regulation needs to be added to the Rules and Regulations Governing the Distribution and Use of Water to assure continuation of Imperial Irrigation District's practices of utilizing prescriptive rights-of-way for existing unlined canals to concrete line or pipeline these facilities; and

WHEREAS, the regulation is also necessary to document that earth fill material for the water conservation projects will be obtained from non-agricultural sources unless borrow from agricultural land is determined to be to the mutual benefit of the landowner and the Imperial Irrigation District.

NOW, THEREFORE, on motion of Director Bornt, seconded by Director Cox, BE IT HEREBY RESOLVED that the Imperial Irrigation District Board of Directors establishes Regulation No. 49 of the Rules and Regulations Governing the Distribution and Use of Water continuing the practice of utilizing prescriptive rights-of-way for existing unlined Imperial Irrigation District facilities to concrete line or pipeline these facilities.

BE IT FURTHER RESOLVED that earth fill material for the water conservation projects will be obtained from non-agricultural sources such as excess material from existing District rights-of-way, District owned and permitted borrow areas, or other public lands unless borrow from agricultural land is determined to be to the mutual benefit of the landowner and the District.

PASSED AND ADOPTED this 9th day of January, 1990.

IMPERIAL IRRIGATION DISTRICT

By W. A. Condit
President

By Larry E. Beck
Secretary



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24-81

RESOLUTION NO. 4-90

IID/MWD AGREEMENT; INDIRECT COSTS

WHEREAS, the Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water (Agreement) was entered into by Imperial Irrigation District (IID) and the Metropolitan Water District of Southern California (MWD) December 22, 1988, and

WHEREAS, Section 2.2. Indirect Costs states "Pursuant to Section 4.4, MWD will have paid to IID for indirect costs by the time of completion of construction and initiation of full operation of the program an amount of money equal to \$23 million," and

WHEREAS, Section 2.2. states further "This payment will be made as full compensation for the indirect costs and potential obligations of IID resulting from implementation of the program," and

WHEREAS, Section 2.2. states further "Such costs and obligations related to the conservation of water from the program include, but are not necessarily limited to, loss of hydroelectric power revenue; mitigation of adverse impacts on agriculture from increased salinity in the water; loss of revenues from reduced water deliveries; public information; lateral canal pipelining; modernization of ancillary features of the IID water supply system; environmental mitigation and litigation relating to the impact, if any, of the program on the water level or quality of the Salton Sea or the New and Alamo Rivers, to the extent such costs are not reimbursable by insurance; and liability related to operation and

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maintenance of the program to the extent it exceeds the insurance provided in Section 2.3 (b)," and

NOW, THEREFORE, on motion of Director BORNT, seconded by Director LYON, BE IT HEREBY RESOLVED that the \$23 million referenced in Section 2.2. Indirect Costs in the Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water dated December 22, 1988, be placed into a trust fund.

BE IT FURTHER RESOLVED that spending for indirect costs associated with the Agreement be limited to the interest earned on the trust fund account.

BE IT FURTHER RESOLVED that Board approval shall be required in advance of each expenditure.

PASSED AND ADOPTED this 9th day of January, 1990.

IMPERIAL IRRIGATION DISTRICT

By W. R. Condit
President

By Larry E. Beck
Secretary



24-82

RESOLUTION NO. 6-90

WHEREAS, under the provisions of the Water Conservation and Water Quality Bond Law of 1986, Imperial Irrigation District applied for low-interest loans to fund the "Z" Reservoir; South Alamo Canal Concrete Lining, Phase II; and Acacia Concrete Lining projects; and

WHEREAS, the State of California Department of Water Resources approved the loan applications; and

WHEREAS, the above-mentioned projects are included in the Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water with the Metropolitan Water District; and

WHEREAS, the projects will be funded under the above-mentioned Agreement by the Metropolitan Water District.

NOW, THEREFORE, on motion of Director BORNT, seconded by Director LYON, BE IT HEREBY RESOLVED that the Imperial Irrigation District Board of Directors withdraws the water conservation loan applications under the Water Conservation and Water Quality Bond Law of 1986 for the "Z" Reservoir; South Alamo Canal Concrete Lining, Phase II; and Acacia Concrete Lining projects.

BE IT FURTHER RESOLVED that the President of the Imperial Irrigation District Board of Directors shall notify the State of California Department of Water Resources of the Board action and provide a copy of this Resolution.

PASSED AND ADOPTED this 23rd day of January, 1990.

IMPERIAL IRRIGATION DISTRICT

By W. R. Condit
President

By Larry E. Beck
Secretary

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24-83

RESOLUTION NO. 7-90

ALL-AMERICAN CANAL LINING DECISION

WHEREAS, on November 17, 1988, Public Law 100-675 "to provide for the settlement of water rights claims of the La Jolla, Rincon, San Pasqual, Pauma, and Pala bands of Mission Indians in San Diego County, California, to authorize the lining of the All-American Canal, and for other purposes" became a Federal law; and

WHEREAS, Title II of the law authorizes the Secretary of the Interior, in order to reduce the seepage of water, (1) to construct a new lined canal or to line the previously unlined portions of the All-American Canal from the vicinity of Pilot Knob to Drop 4 and its Coachella Branch from Siphon 7 to Siphon 32, or construct seepage recovery facilities in the vicinity of Pilot Knob to Drop 4, including measures to protect public safety; and

(2) implement measures for the replacement of incidental fish and wildlife values adjacent to the canal foregone as a result of the lining of the canal or mitigation of resulting impacts on fish and wildlife resources from construction of a new canal or a portion thereof; and

WHEREAS, Section 205 states "... for a period not to exceed 15 months thereafter, or such additional period as the Secretary and the Imperial Irrigation District, the Coachella Valley Water District, and the Metropolitan Water District of Southern California may agree, the Secretary shall provide to the Imperial Irrigation District the opportunity to become the sole participating contractor for the works on the All-American Canal from Pilot Knob to Drop 4, and assume all non-Federal obligations to finance the works."; and

WHEREAS, by letters dated July 13, August 23, and November 20, 1989, the Metropolitan Water District and the Coachella Valley Water District were requested to extend the aforementioned period an additional 15 months; and

WHEREAS, the Metropolitan Water District denied the request and the Coachella Valley Water District did not respond to the request; and

WHEREAS, exercising the opportunity to become the sole participating contractor for the works on the All-American Canal from Pilot Knob to Drop 4 allows the Imperial Irrigation District to proceed with the appropriate works at the appropriate time.

NOW, THEREFORE, on motion of Director Bornt, seconded by Director Gallegos, BE IT HEREBY RESOLVED that the Imperial Irrigation District notify the Secretary of the Interior in accordance with Section 205 of Public Law 100-675 of the Imperial Irrigation District's intent to become, when appropriate, the sole participating contractor for the works on the All-American Canal from Pilot Knob to Drop 4, subject to the Imperial Irrigation District and the Secretary of the Interior entering into acceptable contracts, and assume all non-Federal obligations to finance the works.

BE IT FURTHER RESOLVED that the General Manager shall transmit copies of this Resolution to the Secretary of the Interior, the Commissioner of the Bureau of Reclamation, and others as required.

PASSED AND ADOPTED this 23rd day of January, 1990.

IMPERIAL IRRIGATION DISTRICT

By

W. R. Condit
President

By

Larry E. Beck
Secretary

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24-84

RESOLUTION NO. 14-90

WHEREAS, the Imperial Irrigation District (Imperial) has entered into an Agreement for the Implementation of a Water Conservation Program and Use of Conserved Water (Water Conservation Agreement) with The Metropolitan Water District of Southern California (Metropolitan), dated December 22, 1988; and

WHEREAS, Imperial has entered into an Approval Agreement with Metropolitan, Coachella Valley Water District (Coachella) and Palo Verde Irrigation District (Palo Verde) dated December 19, 1989; and

WHEREAS, the Water Conservation Agreement and the Approval Agreement provide that Imperial will undertake a specific Water Conservation Program (Program) within the District which will eventually conserve an estimated 106,110 acre-feet per year; and

WHEREAS, in return for Imperial reducing its diversions from the Colorado River in the amount of water actually conserved by the Program, Metropolitan will pay Imperial for certain Program costs; and

WHEREAS, in the Approval Agreement and an Agreement to Supplement Approval Agreement, dated December 19, 1989, Coachella consented to the implementation of the Program; and

WHEREAS, in the Approval Agreement, Palo Verde consented to the implementation of the Program; and

WHEREAS, by letter, dated January 17, 1989, the United States Department of Interior approved the implementation of the Program; and

WHEREAS, while Imperial contends that the Water Conservation Agreement and Approval Agreement are not agreements for the sale, lease, or use of surplus water and do not, therefore, require the approval of the State Treasurer, Imperial desires to cooperate with the State Treasurer so that the Program can be implemented as expeditiously as possible.

NOW, THEREFORE, BE IT RESOLVED that a letter be sent to the State Treasurer respectfully requesting that he review and approve the Water Conservation Agreement between Imperial and Metropolitan dated December 22, 1988, and that he review and

approve the Approval Agreement between Imperial, Metropolitan, Coachella and Palo Verde dated December 19, 1989.

PASSED AND ADOPTED this 6th day of March, 1990.

IMPERIAL IRRIGATION DISTRICT

By W. R. Boudin President

By Larry E. Beck Secretary



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24-85

IMPERIAL IRRIGATION DISTRICT

RESOLUTION NO. 24-90

WHEREAS, the Imperial Irrigation District (District) is responsible for delivering Colorado River water to certain lands within Imperial County for irrigation and domestic uses; and

WHEREAS, the District has prior, perfected and adjudicated rights to certain portions of the waters of the Colorado River; and

WHEREAS, the public interest and economy of Imperial Valley is dependent upon the reasonable and beneficial use of all water to which the District is entitled to divert; and

WHEREAS, it is feasible for all water users located on the South Coastal Plain of Southern California, to adopt expanded water conservation programs which will increase the area's water use efficiency and help satisfy existing and future needs; and

WHEREAS, the State of California, and particularly the South Coastal Plain of Southern California, is presently facing a water crises; and

WHEREAS, it is the policy of the District that water resources be put to beneficial use to the fullest extent of which they are capable; and

WHEREAS, the Board of Directors of the District, has previously adopted structural and non-structural water conservation programs and has recently expanded the District's water conservation programs which will provide flexibility that will enable the District to facilitate its goal of making additional water available for future use within the District or by others in the State of California; and

WHEREAS, the State of California, the County of Imperial, and the District may gain long-term benefits from the implementation in the District of additional water conservation possibilities whereby water planned for use within the District could be made temporarily available for use by others in Southern California, provided there are no adverse economic or social effects associated with the program which have not been considered and dealt with in an appropriate manner.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE DISTRICT THAT:

1. A letter be sent to Governor George Deukmejian, the Bureau of Reclamation, members of the Seven Party Agreement

and other interested parties in the State of California offering to meet and discuss additional water conservation possibilities in Imperial County that could make conserved water temporarily available for use by others in Southern California; provided, however, that any program which will be implemented by virtue of this Resolution will, at a minimum, provide:

- (a) That the District's water rights will be unimpaired and fully recognized;
- (b) Areas benefiting from water made available by the program adopt their own stringent water conservation program which will have the effect of significantly decreasing wasteful water practices in those areas;
- (c) All Californians, particularly those residing on the South Coastal Plain of Southern California, implement appropriate measures to see that water is used as efficiently as feasible;
- (d) Imperial County and the District be fully compensated for all costs and impacts to Imperial County and the District which are associated with any water conservation and transfer program;
- (e) As part of any water conservation and transfer program, there be no permanent retirement of agricultural land.

2. The District will increase its efforts to outline a specific conservation program which emphasizes equitable and practical methods of working with farmers to conserve tailwater.

3. The District will undertake an expanded water conservation awareness program to inform the water consumers of Imperial County of the necessity for all Californians to use water wisely.

PASSED AND ADOPTED this 10th day of July, 1990.



IMPERIAL IRRIGATION DISTRICT

By W. A. Condit
President

By Sam Pan
Assistant Secretary

24-86

RESOLUTION NO. 31-90

Resolution in Support of Proposition 148
1990 Water Bonds

WHEREAS, the California Legislature has placed a bond measure before the California electorate this November that would authorize the state to issue \$380 million in bonds to fund various water-related projects as follows:

- \$25 million for the California Water Projects Assistance Act, which establishes a new state program to provide loans to public agencies for design and construction of dams, reservoirs and other facilities.
- \$90 million for the Flood Control Act of 1990, which provides funds for the state's share in federally-sponsored flood control projects.
- \$80 million for the California Safe Drinking Water and Drought Relief Act of 1990, which includes \$60 million in loans and grants to local agencies for municipal water treatment systems and \$20 million for loans to agencies for facilities or improvements needed to alleviate effects of the drought.
- \$185 million for the Water Quality and Water Conservation Act of 1990, which allocates \$95 million for water reclamation projects; \$30 million for sewage treatment facilities for the New River/Alamo River, Salton Sea and Tijuana River; adds \$20 million in grants to small communities for construction of wastewater treatment facilities; provides \$20 million in loans for new groundwater treatment facilities; and adds \$20 million in loans to agencies for voluntary, cost-effective water conservation programs and groundwater recharge facilities; and

WHEREAS, the 1990 Water Bonds provide urgently needed funding for California's diverse needs; and

WHEREAS, the bonds will help cities, counties and public water agencies provide Californians with safe drinking water and flood protection and make better use and reuse of available water supplies; and

WHEREAS, meeting the state's water needs is a crucial part of ensuring that California's future is environmentally and economically sound.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Board of Directors of Imperial Irrigation District supports approval of this water bond measure and believes the enactment thereof to be in the best interest of the people of the State of California.

PASSED AND ADOPTED this 23rd day of October, 1990.



IMPERIAL IRRIGATION DISTRICT

By: W. R. Condit
President

By: J. R. Carter
Secretary

PROP148

24-87

RESOLUTION NO. 33-90

Resolution of the Board of Directors
of Imperial Irrigation District
Regarding Negotiation of Provisions for
Administration of the Priorities for Water Use
Defined Under California's Seven Party Agreement

1. WHEREAS, the Palo Verde Irrigation District, the Bard Water District, the Imperial Irrigation District (IID), the Coachella Valley Water District, The Metropolitan Water District of Southern California (MWD) (hereinafter collectively referred to as the "Parties") and the Quechan Indian Tribe in California share in or are affected by the priorities for the annual beneficial consumptive use of Colorado River water in California under the terms of the Seven Party Agreement as incorporated into each of the water delivery contracts with the United States and the Approval Agreement for the IID-MWD Water Conservation Agreement; and
2. WHEREAS, the Bureau of Reclamation, acting on behalf of the Secretary of the Interior as watermaster of the Colorado River, must administer use of California's Colorado River apportionment in accordance with legally established priorities, the Law of the River, and other applicable laws; and
3. WHEREAS, the beneficial consumptive use of Colorado River water under the priorities of the Seven Party Agreement is limited; and

4. WHEREAS, water not used by a higher priority user is available for use by the contractor with the next priority; and
5. WHEREAS, the demand for water by those entities sharing in the priorities of the Seven Party Agreement can potentially exceed the limits; and
6. WHEREAS, the Parties further recognize that notwithstanding careful management, beneficial consumptive use of Colorado River water in California under the priorities may from time to time inadvertently exceed the limits; and
7. WHEREAS, each Party recognizes the need to offset any such inadvertent overruns in a fashion which will not impair the rights of the other Parties in California and the other six basin states; and
8. WHEREAS, the Bureau of Reclamation has requested the Parties to enter into negotiations to develop equitable procedures and methods that will ensure that beneficial use of Colorado River water under the priorities of the Seven Party Agreement does not exceed the specified limits, define inadvertent overruns, and define methods by which inadvertent overruns will be offset by responsible parties.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Imperial Irrigation District hereby agrees to enter into good faith negotiations with the other Parties and the Bureau of Reclamation to develop an agreement or agreements which would:

1. Define equitable procedures that will ensure that beneficial consumptive use of Colorado River water under the priorities of the Seven Party Agreement does not exceed the specified amounts.
2. Define inadvertent overruns.
3. Define the method or methods by which inadvertent overruns will be offset.
4. Define which of the Parties will be responsible for offset of inadvertent overruns.
5. Define the timing for offset of the inadvertent overruns.

PASSED AND ADOPTED this 23rd day of October 1990.



IMPERIAL IRRIGATION DISTRICT

By: *W. H. Condit*
President

By: *J. E. Carter*
Secretary

WTRCON

24-88

RESOLUTION NO. 38-90

WHEREAS, the Imperial Irrigation District (IID) has prior, perfected and adjudicated rights to use certain portions of the waters of the Colorado River for irrigation and domestic purposes; and

WHEREAS, IID's right to use Colorado River water is senior to the rights of others, including the Coachella Valley Water District (Coachella) and The Metropolitan Water District of Southern California (Metropolitan); and

WHEREAS, the public interest and economy of Imperial Valley is dependent upon the economic use of all water to which IID is entitled to divert; and

WHEREAS, water conservation opportunities exist within IID which, if implemented, could make additional water available for future use within IID or by others in the State of California; and

WHEREAS, competing needs may exist for any water conserved within IID.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of IID that:

1. If it is determined that, after considering present and future water needs within IID, cost, economic, legal and other factors, it is in IID's best interest to make an identifiable quantity of conserved water temporarily available for use by others, IID shall offer to meet and discuss water transfer arrangements with all interested parties.

2. As set forth in IID Resolution No. 24-90, any agreement for making conserved water available for use by others shall provide, at a minimum, that IID's water rights will be unimpaired and fully recognized and that Imperial County and IID shall be fully compensated for all costs and impacts which are associated with any water conservation and transfer program.

3. The members of the Seven Party Agreement be invited to meet with IID and investigate the possibilities of:

- (a) Supplementing their Colorado River water supplies by acquisition of additional Upper Basin Colorado River water.

- (b) Development and acquisition of additional supplies of water from Northern California.

PASSED AND ADOPTED this 20th day of November, 1990.



IMPERIAL IRRIGATION DISTRICT

By W. R. Condit
President

By [Signature]
Secretary

24-89

RESOLUTION NO. 7-91

Contract: Lower Colorado Water Supply Project
(Exchange of Water)

BE IT RESOLVED by the Board of Directors of the Imperial Irrigation District that the President of the Imperial Irrigation District is hereby authorized to execute for and on behalf of the Imperial Irrigation District the Contract last designated BC Draft 07/05/90 for delivery of exchange water with the UNITED STATES OF AMERICA, which Contract was duly presented to the Board of Directors of the Imperial Irrigatin District and which Contract is hereby approved.

PASSED AND ADOPTED this 23rd day of April, 1991.



IMPERIAL IRRIGATION DISTRICT

By: _____

President

By: _____

Secretary

24-90

RESOLUTION NO. 6-92

AUTHORIZING EXECUTION OF AGREEMENT WITH THE STATE WATER
RESOURCES CONTROL BOARD TO COMPLETE THE DESILTATION
BASIN DEMONSTRATION PROJECT

WHEREAS, agricultural drainage water from the 500,000 acres of irrigated agriculture in the Imperial Valley contains toxaphene, DDT, chlorinated hydrocarbon pesticides, and other elements such as selenium which have the potential to impair the beneficial uses of the receiving waters; and

WHEREAS, all of the agricultural drains within the Imperial Valley are on the Federal List of Impaired Waters; and

WHEREAS, it will be in the best interest of the farmers of the Imperial Valley to examine potential Best Management Practices (BMPs) to determine the most practical and efficient methods for providing the nonpoint source water quality improvement that will be necessary for the District to meet currently designated goals of the State Water Resources Control Board's (State Board)

"Inland Surface Waters Plan;" and

WHEREAS, the Environmental Protection Agency and the State Board have provided programs for financial assistance for implementation of BMPs for demonstration projects to improve nonpoint source water quality.

NOW, THEREFORE, on motion of Director Menvielle, seconded by

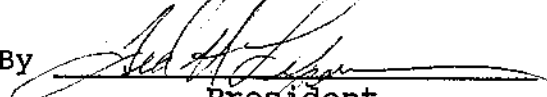
Director Cox, BE IT RESOLVED that the Board of Directors of the Imperial Irrigation District authorizes the execution of the Agreement with the State Board for completion of the Desiltation Basin Demonstration Project as set forth in the State Board Grant Agreement No. 1-181-257-0.

PASSED AND ADOPTED this 14th day of April, 1992.



IMPERIAL IRRIGATION DISTRICT

By


President

By


Secretary